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## Senate

The Senate met at 10 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, source of all wisdom, as Senators strive to make critical decisions, guide their hearts and minds. Give them such courage of conviction that they will ignore the siren calls to deviate from integrity. Help them to walk along ethical paths even when they are misunderstood by insiders and outsiders. Lord, deliver them from those who question their motives and misrepresent their intentions. Remind them that You are the one constituent who ultimately matters and that pleasing You must be their first priority. May they trust You to open doors that no one can shut and to shut doors that no one can open.

We pray in Your sovereign Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mrs. MURRAY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 7, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATTY MURRAY,  
President pro tempore.

Mr. WARNOCK thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Robert Stewart Ballou, of Virginia, to be United States District Judge for the Western District of Virginia.

#### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

#### FOX NEWS

Mr. SCHUMER. Mr. President, last night, millions of Americans tuned into one of the most shameful hours we have ever seen on cable television. With contempt for the facts, disregard of the risks, and knowing full well he was lying—lying—to his audience, FOX News host Tucker Carlson ran a lengthy segment last night arguing the January 6 Capitol attack was not a violent insurrection.

By diving deep into the waters of conspiracy and cherry-picking from thousands of hours of security footage, Mr. Carlson told the bald-faced lie that the Capitol attack—which we all saw with our own eyes—was somehow not an attack at all. He tried to argue it was nothing more than a peaceful sightseeing tour—can you imagine—a nonviolent demonstration, a perfectly fine and appropriate instance of people expressing their opinion.

I and so many others who were here in the Capitol and millions and millions of Americans are just furious with Tucker Carlson and KEVIN MCCARTHY today.

Many of my staff were here at the Capitol on January 6. Their lives were put in danger, as were the lives of many of my colleagues, as well as police, maintenance staff, reporters, countless others.

At one point, I was within 30 feet of the rioters. One of them, I was told, shouted out “let’s get him” before my detail pulled me away and we ran in the other direction.

To say January 6 was not violent is a lie—a lie, pure and simple. I don’t think I have ever seen a prime time cable news anchor manipulate his viewers the way Mr. Carlson did last night. I don’t think I have ever seen an anchor treat the American people and American democracy with such disdain.

And he is going to come back tonight with another segment. FOX News should tell him not to.

FOX News, Rupert Murdoch, tell Carlson not to run a second segment of lies. You know it is a lie. He has admitted it is a lie.

And Speaker MCCARTHY is every bit as culpable as Mr. Carlson. Speaker MCCARTHY’s decision to share security footage with FOX looked like a mistake from the very beginning. But after last night, it looks like a disaster. Speaker MCCARTHY has played a treacherous game by catering to the

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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hard right. He has enabled the Big Lie and has further eroded away at our precious democracy. When people don't believe elections are on the level, that is the beginning of the end of this bold experiment in democracy that has gone on for more than 200 years.

It is all the more shameful because Speaker MCCARTHY knows precisely what kind of customer Mr. Carlson is. He is not surprised by this outcome. What a low point for Speaker MCCARTHY. What a low point for FOX News.

As reporting on the Dominion lawsuit shows, Mr. Carlson had no problem admitting behind the scenes that the Big Lie is pure garbage. When Sydney Powell went on the air to push the stolen election narrative, Mr. Carlson told fellow anchor Laura Ingraham that "Sydney Powell is lying"—his words by the deposition. Mr. Carlson's own producer texted him that "I don't think there is evidence of voter fraud that swung the election."

They know. They know full well they have been lying, and they are doing it anyway. We all, Americans of all types and stripes and corners of this country—Democrats, Republicans, Independents—need to take a stand and call out Mr. Carlson's conduct for what it is: a dangerous, unforgivable attempt to destabilize our democracy and rewrite the history of the worst attack on our Constitution since the Civil War.

It is an insult to every police officer who was on the scene that terrible, fearful day. It is an insult to the memory of every single person who perished in connection with the attack, especially to the memory of Brian Sicknick.

Nonviolent? Ask the Sicknick family. It makes me sick just thinking about what his family must be going through this morning.

And it is an insult to everyone who cares about our democracy and wishes to preserve the dream of our Founders in our day, in our age. I hope every Member of this Chamber will call out FOX and Mr. Carlson for defending the insurrectionists.

And, again, I am disappointed and angered in Speaker MCCARTHY's decision to share sensitive security footage with Mr. Carlson. Speaker MCCARTHY was here that day. He knows what actually happened. His staff and members suffered like everyone else, but he chose cheap political expediency over truth and preservation of democracy.

I condemn Mr. Carlson for siding with the enemies of democracy. I strongly condemn Speaker MCCARTHY's actions and fiercely oppose his decision to share this footage with Carlson. I urge FOX News to order Carlson to cease propagating the Big Lie on his network and to level with their viewers about the truth—the truth—behind the efforts to mislead the public. Conduct like theirs is just asking for another January 6 to happen.

#### RAIL SAFETY

Mr. President, on another subject, as East Palestine continues grappling

with the aftermath of last month's derailment and after a second derailment in Ohio last weekend, Norfolk Southern announced yesterday a new six-point plan they claim will "immediately enhance the safety of its operations."

But here is the question all of us should be asking: Why weren't these protocols already in place?

When Norfolk Southern CEO Alan Shaw comes before the Senate on Thursday, this is just one of the important questions he must answer. Here are a few others: What steps is Norfolk Southern taking to prevent future disasters like the one in East Palestine? Why did Norfolk Southern spend years lobbying against safety regulations intended to prevent accidents like the one last month? How will Norfolk Southern ensure communities along train routes with hazardous materials get the resources they need to respond to accidents—the resources and the information they need? Why did Norfolk Southern launch a \$10 billion stock buyback program last year when that money could have gone to upgrading safety equipment, hiring more workers, or paying their workers better wages?

We need answers to these questions. We need an honest, candid discussion how we can prevent accidents like this in the future. Part of that discussion must acknowledge the plain truth: Republicans have spent years listening to the rail lobby and opposing safety rules in the name of boosting rail company profits. I am talking about the Trump administration loosening brake maintenance and inspection regulations, attempting to deregulate freight train crew size, and nullifying a rule that implemented safety programs. I am talking about Republicans in this Chamber pushing for the "self-regulation" of railroads and leaving safety up to the whims of the free market, to allow for the transportation of more hazardous materials without proper oversight, and to encourage the automation of track inspection at the expense of safety. All of these create dangers.

We don't know yet all the details of what exactly happened in East Palestine, but we know these deregulatory actions make things less safe.

I hope that we can work together, Democrats and Republicans, to put a much-needed, long-overdue check on big rail and make sure another East Palestine never happens. And I commend the bipartisan legislation led by the Senators from Ohio—Senator BROWN, a Democrat and Senator VANCE, a Republican—to move things forward.

#### GOVERNMENT FUNDING

Mr. President, the budget. For the last 2 months, Democrats have highlighted the contrast between our vision and the Republican vision for our country. Republicans, meanwhile, have spent all this time trying to prove us right.

In a few days, President Biden will release his budget for the 2024 fiscal

year. Americans can expect the President to present a bold, optimistic, and responsible path for the Nation. The President's plan is going to show how we can lower the deficit in a responsible manner. His plan will strengthen Social Security and keep Medicare solvent for another 2 decades. And the President's plan will preserve his promise not to raise taxes on anyone making less than \$400,000 a year.

This isn't just talk because Democrats have already shown we can do these things. We already lowered the deficit by hundreds of billions of dollars. We already lowered the cost of prescription drugs, like insulin, and we hope to build on that promise in the near future. And the President explained this morning in an op-ed in the New York Times that he plans to build on the progress we made last year in the Inflation Reduction Act by making Medicare solvent through the year 2050. Isn't that great news for the American people, even younger people who will need it before 2050?

He will expand the list of drugs Medicare can renegotiate. He will take profits that used to go to Big Pharma and put it toward deficit reduction. Many Americans think it would be just a great idea to take the money that normally goes to Big Pharma and put it towards deficit reduction and towards keeping Medicare solvent longer. This commonsense step will help millions of ordinary Americans.

Republicans, to their credit, are being very helpful about erasing any doubt about which party is fighting for the working people and the middle class. While Democrats are for keeping taxes low for most Americans, Republicans tried to push a national sales tax that would have sent taxes surging by 30 percent for millions. While Democrats want to make the wealthy pay their fair share, House Republicans passed their first bill, a proposal to carve out the IRS and make it easier for wealthy tax cheats to avoid detection.

While Democrats will protect Social Security, Republicans, like the senior Senator from Wisconsin, decided to go on the radio the day after the State of the Union and call Social Security a "Ponzi scheme." Can you imagine?

If my Republican colleagues have a problem with what I am saying, there is an easy solution. Speaker MCCARTHY needs to stop dodging and show us the Republican plan. It is now March 7. Two months have passed already in this year. The debt ceiling X date is approaching. Republicans have said they will release a plan. They say they want spending cuts in return for just paying our debts which we already incurred. Where is their plan? What is the hold-up?

The President will release his budget very soon, and the onus is on Speaker MCCARTHY to respond with a serious plan of his own that is a budget plan

that deals with deficit reduction, because we think that should occur without hostage-taking, without any brinkmanship, as it has been done three times in the past few years.

So, Speaker MCCARTHY, respond with a plan, one that can unite the fractured and chaotic factions of the Republican Congress.

#### NOMINATION OF ARUN SUBRAMANIAN

Mr. President, I will have more to say on this later, but I am just very proud the Senate will vote to confirm a highly qualified judicial nominee whom I recommended, Arun Subramanian.

If confirmed, he will be the first South Asian judge in the Southern District of New York, which has one of the largest—if not the largest—South Asian population in the country. He is a great judge. I am looking forward to him serving well on the bench. I will have more to say about him before his vote this afternoon.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

#### CRIME

Mr. MCCONNELL. Mr. President, 1 month ago, the Biden administration published an official statement opposing Republicans' bill to block a disastrous new soft-on-crime law right here in our Nation's Capital. The administration was on the record against it.

Then the overwhelming majority of House Democrats voted against our commonsense resolution when it passed the House. The proposition behind our bill is simple. It goes like this: The answer to skyrocketing violent crime in the District of Columbia is not—not—to reduce criminal penalties even further. On what planet should this even need to be said in the first place?

The murder rate in Washington is 34 percent higher today than it was at this time last year. Auto thefts are up 110 percent right here in the Nation's Capital. Longtime DC residents are locking their car doors at every red light. Tourists visiting their own capital are worried about walking the streets.

Just yesterday, the chief of the Metropolitan Police lamented that the average homicide suspect that his department encounters has already been arrested—listen to this—11 times before, 11 times.

Here is what the police chief said:

What we've got to do—if we really want to see homicides go down—is keep bad guys with guns in jail. Because when they're in

jail, they can't be in communities shooting people.

That is the police chief here in the Nation's Capital.

But the radical politicians who run the city tried to do exactly the opposite. The liberal city council cooked up a soft-on-crime overhaul of the Criminal Code that would have made it even easier for repeat offenders to get back out on the streets. It would have brought the mandatory minimum sentences for crimes like robbery and carjacking down even lower than they already are. And it would have gummed up an already backlogged and dysfunctional criminal justice system by massively expanding jury trials—listen to this—for misdemeanors. It is like these local Democrats have never met a single criminal they actually want locked up behind bars. It is truly remarkable.

This is exactly why our laws give Congress the final say—the final say—over how our Nation's Capital is governed because we can't have the craziness and dysfunction of a few local politicians jeopardizing the basic public safety in the Federal district that houses our national government. So Republicans wrote a resolution to overturn this nonsense.

But bear in mind, this limited resolution would not even toughen criminal penalties. At this point, we are talking about keeping things where they are and stopping even further—even further—backsliding.

The first step is to use this legal tool to stop the unhinged local politicians from making the totally unacceptable status quo even worse. But even so, this is a bridge too far for the vast majority of Washington Democrats.

Just a month ago, the White House issued an official statement opposing House Republicans' commonsense resolution saying:

Congress should respect the District of Columbia's [authority] to govern its own local affairs.

And listen to this: 82 percent of House Democrats fell in line behind the Biden administration and voted no. But then something amazing happened.

I think somebody at the White House may have shown the President his latest poll numbers on this issue—fewer than one in three Americans approve of the way he is handling crime—because Washington Democrats started panicking and reversed themselves on a dime. The President came here last week, pulled a 180, and told our Democratic colleagues he won't veto the resolution after all.

Now there appears to be a different kind of jailbreak brewing right here in the Senate, and a number of Democrats may jump ship at the eleventh hour, trying to act like they have been tough on crime all along. But our colleagues will not be getting off the hook that easily.

It is not an act of heroic political courage for Democrats to help Congress do our basic minimum job and

stop the DC Council from making an unacceptable status quo even worse, and none of our colleagues get to erase their entire records with this one vote.

Remember, just last summer, every single Senate Democrat went on record against a proposal to redirect a portion of their massive taxing-and-spending spree to fight surging crime.

Let the record reflect what actually gets Washington Democrats' attention and what does not. It did not get their attention when rates of violent crime in America's major cities were accelerating this time last year. It did not get their attention that compared to prepandemic levels, homicide nationwide are up 34 percent. It hadn't gotten Democrats' attention when the streets of our own Federal district are where repeated offenders are driving spikes in carjackings and murder.

But now that even the mainstream media are beginning to hold them to account for their negligence, now Washington Democrats are finally trying to change their tune. Innocent citizens getting shot in our streets didn't do it, but when Democrats take political shots in the press, that finally gets their attention.

So, look, we will welcome any of our Democratic colleagues who can recognize basic sanity and want to be on the winning side for our Republican resolution later this week, but local, State, and national Democratic Party officials will not be getting off the hot seat as quickly or as easily as they have got convicted felons getting back on the streets.

Washington, DC is only 0.2 percent of our Nation's population. What about New York, Chicago, San Francisco, Portland, Philadelphia, even Louisville? Don't these citizens deserve some sanity as well? Don't the families and children and elderly people and young women of these communities deserve to walk their streets with safety and security too?

We cannot only have public safety in this country in exceptional cases when a Republican House and a narrowly divided Senate can force Democrats to do the right thing against their will.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### MAGNITSKY SANCTIONS

Mr. DURBIN. Mr. President, last week, the Biden administration announced it was imposing Magnitsky law-related sanctions on several Putin thugs involved in the jailing of Vladimir Kara-Murza. This is the move that I, along with Senators SHAHEEN, RUBIO, TILLIS, MENENDEZ, and RISCH, had urged.

Kara-Murza is an incredible Russian patriot who, despite being poisoned

twice by the Kremlin, returned to Russia last year to continue the peaceful struggle for a more democratic nation and an end to the disastrous war in Ukraine. I will never forget that he came to talk to me just before he returned to Russia and reflected on his determination and optimism for a better future for Russia. Tragically, he was arrested shortly after arriving in Moscow on the laughable charge of criticizing Mr. Putin's war.

Kara-Murza, Alexei Navalny, and so many other Russians who are courageously pursuing a better future for their country deserve our support, and they deserve to be released from Putin's disgraceful gulags.

I would also like to take a moment to mention another brave person. This gentleman, Oswaldo Paya, a brave Cuban, died under suspicious circumstances 11 years ago. Oswaldo Paya had spent years advocating for peaceful, democratic change in Cuba, including submitting thousands of signatures calling for greater political freedoms using a process allowed by the Cuban Constitution itself. Not only did the Castro regime cowardly ignore these modest requests, but it then changed the constitutional provision that allowed for this kind of political input.

After years of harassment and threats, in July 2012, Oswaldo Paya's car was run off the road by a government vehicle, leading to his death. The Cuban Government has never provided a credible accounting of the incident or charged anyone with his death. So, this week, Senators RUBIO, KAINE, CASSIDY, MENENDEZ, CRUZ, CARDIN, WARNER, and I are again calling on the Inter-American Commission on Human Rights to complete this investigation. I hope the Commission finally acts to bring light to Paya's case and to help deter acts of aggression like this in the future.

#### RAIL SAFETY

Mr. President, the residents of East Palestine, OH, were still desperate for answers about the toxic derailment of the Norfolk Southern train in their town a month ago when a second Norfolk Southern train derailed in Springfield, OH, this past weekend. This morning, we learned of even another accident involving Norfolk Southern. A railroad employee was killed early this morning when a Norfolk Southern train collided with a dump truck in Cleveland, OH.

These three rail accidents in just 1 month—one of them a catastrophic derailment—have sent a grave and blaring signal that we need to do more to protect American communities from hazardous freight rail shipments. The need for greater rail safety is urgent, especially in my State of Illinois. Chicago, IL, is the busiest rail hub in the United States. About a quarter of all freight rail traffic in our Nation passes through the Chicago area every year.

If we ignore the warnings from East Palestine and Springfield, OH, it is only a matter of time until the next deadly derailment. In East Palestine,

the government has responded quickly. Federal Agencies were on the ground within hours and are still there today. President Biden has instructed workers from Federal Agencies to even go door to door, checking on the residents in the area to see who may need medical attention as a result of exposure to toxic chemicals.

These are the right steps to take, but we also need to do more to prevent train derailments and accidents in the first place so that more communities don't find themselves facing the same dangers and uncertainty as East Palestine.

Freight rail traffic has increased in recent decades, and it continues to grow. At the same time, freight companies have moved to larger and longer trains to increase profits. But Federal regulations have not kept pace with the changing rail industry. That is the problem.

Listen to these figures, which tell the story. In 2001, the profit margin of the leading freight carriers was 15 percent. Today, the profit margin of those same rail carriers is 41 percent—from 15 to 41 percent. While derailments are down overall since the 1970s, the number of train accidents per mile has actually increased. In addition, over the last 7 years, the damage from derailments has grown, particularly from trains carrying hazardous chemicals.

Instead of investing adequately in safety and their workers, freight rail companies have cut staff dramatically and fought to dismantle safety regulations. Those efforts paid off under the previous President, when rail industry regulators dramatically loosened a number of safety rules. The result is greater danger, more congestion, and blocked rail crossings in communities across America.

The disaster in East Palestine appears finally to have produced a bipartisan consensus that change is needed—and it is. My colleagues from Ohio, Senators BROWN and VANCE, have introduced a bipartisan bill that will make several important, commonsense changes and force freight railroads to improve the safety of their operations. I support these efforts and hope the Senate will pass the bill soon.

While the exact causes of the recent Ohio derailments have not yet been determined, inspectors for the national Surface Transportation Board found that a wheel bearing on the derailed Norfolk Southern train in East Palestine heated to more than 250 degrees above average—250 degrees—causing the plastic pellets it was carrying to catch fire.

The bipartisan bill from Senators BROWN and VANCE will increase how frequently the temperature of wheel bearings must be checked. It also would require additional safety procedures for trains carrying these deadly and dangerous materials. This includes rules for the length of trains and their weight, increased inspections, and a requirement that trains hauling haz-

ardous materials have two trained crew members on board instead of just one. Finally, the Brown-Vance bill would provide funding for hazmat training for first responders, and it would invest in both rail research and the development of new tank car safety features. These are important safety steps that will protect rail workers and the communities through which these trains pass.

This past December, Congress approved a labor agreement that gives rail workers the largest wage increase in 50 years, but most of the railroads balked at providing their workers with even 1 day of paid sick leave per year so that they can take care of themselves and their families.

For too long, railroads have short-changed their workers and possibly endangered American communities, maximizing their corporate profits. It is time for change.

Working for railroads is a tradition in my family. I grew up in East St. Louis, IL. Both of my parents worked for the New York Central Railroad. My two brothers and I also worked for the same railroad. I know from personal experience that many railroad jobs are physically demanding and can be dangerous. Lucky for me, the only scar I have from working on the railroad is a minor one, but others have been injured in more grievous ways.

We can't take all the risks out of rail transport, but we must reduce unnecessary risk. The bipartisan Brown-Vance bill strikes the right balance. We should pass it without delay.

I yield the floor.

The PRESIDING OFFICER (Mr. PADILLA). The Republican whip.

#### IMMIGRATION

Mr. THUNE. Mr. President, at the end of last week, I joined several of my Republican colleagues to travel down to our southern border. It was my second visit to the border during the Biden administration—my third overall. My first during the Biden administration was almost exactly 2 years ago, after border numbers started to soar in the wake of the President taking office.

I would have to say unfortunately little has changed since my last visit. Thanks to the fact that President Biden spent the first 2 years of his Presidency refusing to even acknowledge this crisis, much less actually address it, we are still facing a disastrous situation at our southern border.

I talked to Border Patrol agents who have spent 2 years dealing with record-breaking numbers of illegal immigrants and are still looking for support from the Biden administration that never seems to come. Again and again, Border Patrol agents told me that not only do they not feel supported by the Biden administration, but they feel like the Biden administration has actually impeded their ability to do their jobs. "Just let us enforce the law," one agent told me. It is something that was echoed by other law enforcement officers that we spoke to. To give you just

one example, we heard from the individual in charge of the border for the State of Texas, who told us that they have a number of panels for the congressionally mandated border wall that are ready to go into the ground. The State of Texas and law enforcement personnel would like to install these panels to help them stem the flood of illegal immigration—at their own expense, an expense of the State of Texas. But the Biden administration has, so far, refused to grant the permissions needed to do that. I can only imagine how much harder the jobs will get when the Biden administration ends title 42 border policies, coming up on May 11.

I was also stunned to learn that President Biden's supposed border czar, Vice President HARRIS, has never spoken to the border czar for the State of Texas or to the leadership of the Border Patrol down there. That is right. The person who is supposedly in charge of addressing the chaos at our southern border has never spoken to the individual in charge of border issues for the State that makes up the greatest portion of our southern border or to the Border Patrol leadership in the State.

Mr. President, from his campaign on, President Biden was fixated on distancing himself from the immigration policies of his predecessor and satisfying the open borders caucus that makes up a huge part of today's Democratic Party, so much so that, in his first week in office or so, he repealed somewhere on the order of 94—94—executive policies of the previous administration with respect to the border. The moment he took office, he set about dismantling those policies of the previous administration without apparently taking even a minute to think about what effect his actions would have.

Well, we know now what effect they had. President Biden's actions declared to the world that the United States' borders were effectively open, and we have seen 2 years of recordbreaking illegal immigration as a result.

In January, President Biden finally—and I say “finally”—began to take some steps to address the crisis at our southern border, including reestablishing versions of some of the border security policies he did away with on taking office. Predictably, even the mild steps he has taken have garnered criticism from open borders Democrats who, apparently, think that border security and border enforcement are somehow uncompassionate.

Well, Mr. President, do you know what is uncompassionate? The kind of lax border policies we have had over the past 2 years that have encouraged individuals to attempt to illegally cross our border; that have encouraged individuals to pay huge sums to dangerous individuals, to cartels, and smugglers for illegal passage; that have exposed unaccompanied children to the hazards of extreme weather and criminal activity or exploitation by sponsors once they arrive in this country.

At least 853 people died attempting to cross our southern border illegally in fiscal year 2022—the highest number ever recorded. That is a lot of lives lost. There is nothing compassionate about the policies that encourage them to attempt the crossing.

I think many people think of those attempting to illegally cross our border as economically disadvantaged individuals from Mexico or Central America. But the truth is that U.S. Customs and Border Protection apprehends individuals at our southern border from all over the world, some from hostile countries. One law enforcement official I spoke with said that the number of Chinese nationals attempting to cross illegally in the Rio Grand Valley Sector has increased by 488 percent year over year—488 percent. Now, I have no doubt that some of those were individuals merely hoping to relocate from communist China to a land of freedom. But it is equally possible that some were hostile agents of the Chinese Government, and that is a serious security concern.

In fiscal year 2022, Customs and Border Protection apprehended 98 individuals on the terrorist watch list attempting to cross our southern border. That is an average of one approximately every 3 or 4 days. And that is just the individuals Customs and Border Protection managed to apprehend. There have been at least 1.2 million known “got-aways,” which are individuals the Border Patrol saw but was unable to apprehend, since President Biden took over. Now, that is in addition to the almost 4.7 million—4.7 million—people whom they actually did apprehend trying to come across our southern border since President Biden took office.

It is more than possible that terrorists or agents of hostile powers have been able to make their way into our country undetected while our Border Patrol agents have been struggling to deal with the recordbreaking number of individuals coming across the border illegally. The chaos that we have been experiencing at our southern border is an invitation to dangerous individuals, from terrorists to drug cartels.

Our Nation is currently in the midst of a fentanyl crisis, which is largely being fueled by fentanyl trafficked across our southern border. And I would be very surprised if the flow of fentanyl into this country isn't being facilitated by the chaos at our border.

Our current fentanyl crisis is also a good reminder that illegal activity at our southern border affects every State in our country. I have talked to sheriffs in South Dakota—about as far from our southern border as you can get—who are dealing with fentanyl that has been trafficked across the border from Mexico. Last year, Minnehaha County Sheriff Mike Milstead estimated that 90 percent—90 percent—of fentanyl and methamphetamine in our State—the State of South Dakota—comes through Mexico and across our southern border—90 percent.

Every State is a border State, and recordbreaking floods of illegal immigration at our southern border aren't just a problem for actual border States, like Texas and Arizona. They are a problem for every State in our country.

For 2 years, the Biden administration has been missing in action at our southern border. While I am glad that President Biden is finally, at least halfheartedly, acknowledging that we are facing a border crisis, I want to see him follow through on actually enforcing our laws and doing what the Border Patrol agents are simply asking: Enforce our laws.

He has all the authority he needs to secure our border, and he owes the American people nothing less.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### VOTE ON BALLOU NOMINATION

The question is, Will the Senate advise and consent to the Ballou nomination?

Mr. CARDIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania (Mr. FETTERMAN), and the Senator from Arizona (Mr. KELLY) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO).

The result was announced—yeas 59, nays 37, as follows:

[Rollcall Vote No. 41 Ex.]

#### YEAS—59

Baldwin	Heinrich	Romney
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Rounds
Booker	Kaine	Sanders
Brown	Kennedy	Schatz
Cantwell	King	Schumer
Capito	Klobuchar	Shaheen
Cardin	Lujan	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Collins	McConnell	Tester
Coons	Menendez	Tillis
Cornyn	Merkley	Van Hollen
Cortez Masto	Murkowski	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Gillibrand	Ossoff	Welch
Graham	Padilla	Whitehouse
Grassley	Peters	Wyden
Hassan	Reed	

#### NAYS—37

Blackburn	Cassidy	Daines
Boozman	Cotton	Ernst
Braun	Cramer	Fischer
Britt	Crapo	Hagerty
Budd	Cruz	Hawley

Hoeven	Mullin	Sullivan
Hyde-Smith	Paul	Thune
Johnson	Ricketts	Tuberville
Lankford	Risch	Vance
Lee	Rubio	Wicker
Lummis	Schmitt	Young
Marshall	Scott (FL)	
Moran	Scott (SC)	

## NOT VOTING—4

Barrasso	Fetterman
Feinstein	Kelly

Manchin	Peters	Smith
Markey	Reed	Stabenow
McConnell	Romney	Tester
Menendez	Rosen	Van Hollen
Merkley	Rounds	Warner
Murkowski	Sanders	Warnock
Murphy	Schatz	Warren
Murray	Schumer	Welch
Ossoff	Shaheen	Whitehouse
Padilla	Sinema	Wyden

## NAYS—39

Blackburn	Hagerty	Ricketts
Boozman	Hawley	Risch
Braun	Hoeven	Rubio
Britt	Hyde-Smith	Schmitt
Budd	Johnson	Scott (FL)
Cassidy	Kennedy	Scott (SC)
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Tuberville
Daines	Moran	Vance
Ernst	Mullin	Wicker
Fischer	Paul	Young

## NOT VOTING—4

Barrasso	Fetterman
Feinstein	Kelly

The PRESIDING OFFICER (Mr. LUJÁN). On this vote, the yeas are 57, the nays are 39.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Andrew G. Schopler, of California, to be United States District Judge for the Southern District of California.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:16 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. LUJÁN).

## EXECUTIVE CALENDAR—Continued

## NOMINATION OF ANDREW G. SCHOPLER

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Judge Andrew Schopler, who has been nominated to the U.S. District Court for the Southern District of California.

Since 2016, Judge Schopler has served as a magistrate judge for the Southern District of California. To date, he has presided over five misdemeanor trials. Prior to his Federal judicial appointment, he served as a judge pro tem for 5 years on the San Diego Superior Court's Small Claims Court, where he presided over dozens of civil bench trials. Before joining the bench, Judge Schopler served the Southern District of California as an Assistant U.S. Attorney for 12 years, spending 4 years in the general crimes section, four in the criminal enterprise/narcotics enforcement section, and four in the major frauds and special prosecutions section, where he served as deputy chief. Judge Schopler began his legal career in North Carolina as an assistant public defender at the Orange and Chatham

County Public Defender's Office and in private practice. He tried approximately 55 cases to verdict or judgment and was sole counsel in 39. Since 2014, Judge Schopler has also served this country as a major in the U.S. Army, California Army National Guard. In 2018, he deployed to Afghanistan for 8 months.

Born in Chapel Hill, NC, Judge Schopler earned his J.D. cum laude from Harvard Law School in 1997 and his B.A. summa cum laude from Dartmouth College in 1994. Senators Feinstein and Padilla strongly support Judge Schopler's nomination. The American Bar Association has also unanimously rated him "well qualified" to serve on the Southern District of California.

I urge all of my colleagues to join me in supporting this highly qualified nominee.

## VOTE ON SCHOPLER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Schopler nomination?

Mr. PETERS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Arizona (Mr. KELLY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO).

The result was announced—yeas 56, nays 39, as follows:

[Rollcall Vote No. 43 Ex.]

## YEAS—56

Baldwin	Hassan	Reed
Bennet	Heinrich	Romney
Blumenthal	Hickenlooper	Rosen
Booker	Hirono	Rounds
Brown	Kaine	Schatz
Cantwell	King	Schumer
Capito	Klobuchar	Shaheen
Cardin	Lujan	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Collins	McConnell	Tester
Coons	Menendez	Van Hollen
Cornyn	Merkley	Warner
Cortez Masto	Murkowski	Warnock
Duckworth	Murphy	Warren
Durbin	Murray	Welch
Gillibrand	Ossoff	Whitehouse
Graham	Padilla	Wyden
Grassley	Peters	

## NAYS—39

Blackburn	Hagerty	Ricketts
Boozman	Hawley	Risch
Braun	Hoeven	Rubio
Britt	Hyde-Smith	Schmitt
Budd	Johnson	Scott (FL)
Cassidy	Kennedy	Scott (SC)
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Tuberville
Daines	Moran	Vance
Ernst	Mullin	Wicker
Fischer	Paul	Young

[Rollcall Vote No. 42 Ex.]

## YEAS—57

Baldwin	Casey	Grassley
Bennet	Collins	Hassan
Blumenthal	Coons	Heinrich
Booker	Cornyn	Hickenlooper
Brown	Cortez Masto	Hirono
Cantwell	Duckworth	Kaine
Capito	Durbin	King
Cardin	Gillibrand	Klobuchar
Carper	Graham	Lujan

## NOT VOTING—5

Barrasso Fetterman Sanders  
Feinstein Kelly

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

## CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 43, Arun Subramanian, of New York, to be United States District Judge for the Southern District of New York.

Charles E. Schumer, Richard J. Durbin, Jeff Merkley, Jeanne Shaheen, Elizabeth Warren, Sheldon Whitehouse, Richard Blumenthal, Christopher A. Coons, Jack Reed, Alex Padilla, Gary C. Peters, Angus S. King, Jr., Mazie Hirono, Tim Kaine, Brian Schatz, Cory A. Booker, Margaret Wood Hassan.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Arun Subramanian, of New York, to be United States District Judge for the Southern District of New York, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Arizona (Mr. KELLY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO).

The yeas and nays resulted—yeas 58, nays 37, as follows:

[Rollcall Vote No. 44 Ex.]

## YEAS—58

Baldwin	Grassley	Murray
Bennet	Hassan	Ossoff
Blumenthal	Heinrich	Padilla
Booker	Hickenlooper	Peters
Brown	Hirono	Reed
Cantwell	Kaine	Romney
Capito	Kennedy	Rosen
Cardin	King	Rounds
Carper	Klobuchar	Schatz
Casey	Lee	Schumer
Collins	Lujan	Shaheen
Coons	Manchin	Sinema
Cornyn	Markey	Smith
Cortez Masto	McConnell	Stabenow
Duckworth	Menendez	Tester
Durbin	Merkley	Van Hollen
Gillibrand	Murkowski	
Graham	Murphy	

Warner  
Warnock

Warren  
Welch

Whitehouse  
Wyden

## NAYS—37

Blackburn  
Boozman  
Braun  
Britt  
Budd  
Cassidy  
Cotton  
Cramer  
Crapo  
Cruz  
Daines  
Ernst  
Fischer

Hagerty  
Hawley  
Hoeven  
Hyde-Smith  
Johnson  
Lankford  
Lummis  
Marshall  
Moran  
Mullin  
Paul  
Ricketts  
Risch

Rubio  
Schmitt  
Scott (FL)  
Scott (SC)  
Sullivan  
Thune  
Tillis  
Tuberville  
Vance  
Wicker  
Young

## NOT VOTING—5

Barrasso Fetterman Sanders  
Feinstein Kelly

The PRESIDING OFFICER (Mr. WELCH). On this vote, the yeas are 58, the nays are 37.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Arun Subramanian, of New York, to be United States District Judge for the Southern District of New York.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## CRIME

Mr. CORNYN. Mr. President, communities across the country have paid the price of Democrats' soft-on-crime policies. The Democratic Party has backed woke prosecutors who refuse to enforce broad swaths of the Criminal Code. It has endorsed "defund the police" policies and candidates, and it has consistently shown more sympathy for the criminals who commit crimes than for the victims who were hurt by them.

It is no surprise that these decisions carry very dangerous consequences, which are being felt across America. Businesses are fleeing Portland, OR, due to surging crime. The mayor of Chicago was just defeated in her primary because she failed to address rampant crime in that city.

One city that is not immune to these consequences is our Nation's Capital, Washington, DC. So far this year, the District of Columbia has seen more than three dozen homicides—a nearly 40 percent increase compared to last year. Forty percent. Sex crimes have more than doubled compared to last year, and there have been more than 1,200 motor vehicle thefts, including carjackings, which is more than double the number at this point last year. In total, the Nation's Capital, where we are located, reported a 25-percent increase in crime compared to last year.

With crime on the rise, you would expect that the elected leaders of the DC City Council would take steps to improve public safety, but that is not what they did. In fact, council members took the exact opposite approach. Forget deterring criminal conduct; the

DC City Council responded to this crime wave by reducing penalties for violent crimes. It actually passed legislation that decreases punishment for many of the same crimes that have been on the rise over the last year—lower penalties for carjackings, home invasions, and robberies and lower penalties for convicted felons who illegally carry firearms and for felons who use guns to commit other crimes. There are no mandatory minimum sentences for any crime other than first-degree murder.

It is a slap in the face of every law-abiding resident and visitor to this city; every person who worries about getting carjacked on their way home from work, like the people who work for us here in the Nation's Capital; or being robbed on the Metro, like the visitors from our States who come to the Nation's Capital who don't expect to be assaulted and robbed; or individuals who have their residence targeted by a serial burglar.

This is not the kind of legislation that is meant to keep people safe; it is just the latest iteration of failed soft-on-crime policies. It is no surprise that DC's Criminal Code rewrite was met with severe backlash.

Even the Washington Post published an editorial entitled "DC's crime bill could make the city more dangerous." Well, I give them credit for stating the obvious.

The U.S. attorney for the District of Columbia warned that this measure prevents courts from imposing penalties that appropriately reflect the seriousness of the offense and the defendant's criminal history.

One local elected official used especially harsh words to describe a portion of the bill that would allow someone convicted of sexual assault to petition for early release after 20 years. She said:

I don't think the DC Council should be helping rapists get out of prison early. That's crazy.

Crazy indeed—so crazy, in fact, that the city's liberal Mayor, Muriel Bowser, even vetoed this measure when it reached her desk, saying it "does not make us safer."

I don't find myself agreeing with the Washington Post editorial board or the Mayor of the District of Columbia often, but they are both right here.

DC Council members should have viewed her veto and the public outrage as a sign that they should go back to the drawing board, but unfortunately they doubled down. DC City Council overrode the Mayor's veto. They ignored the deep concerns of citizens of this city and the dire warnings from public safety advocates and plowed ahead.

Fortunately, that is not the end of the road for this dangerous and deeply misguided bill. The Constitution of the United States gives Congress exclusive legislative jurisdiction over the District of Columbia. It is a Federal district. We must take action to prevent



this criminal-friendly measure from going into effect.

As we have seen, this effort has broad bipartisan support, starting at the White House. Last month, the House of Representatives passed a resolution of disapproval by a vote of 250 to 173, with more than 30 Democrats crossing the aisle to support it. Thanks to the Senator from Tennessee, Senator HAGERTY's leadership, that resolution will receive a vote on the Senate floor this week. I expect it will pass with strong bipartisan support, as it should, and put a final nail in the coffin of this dangerous and deeply misguided legislation.

Soft-on-crime policies have had a devastating impact on cities across America, and we can't let our Nation's very Capital become a consequence-free playground for lawbreakers. So I appreciate Senator HAGERTY's leadership on this resolution and his work to ensure that it receives a vote in the Democrat-led Senate.

#### FEDERAL JUDICIARY

Mr. President, on another but somewhat related matter, over the last several years, Washington Democrats have waged war on our independent Federal judiciary.

Three years ago, the majority leader of the Senate, the Senator from New York, joined an abortion rally outside the Supreme Court, where he made deeply disturbing comments about two sitting Associate Justices on the Supreme Court of the United States. He said:

I want to tell you, Gorsuch; I want to tell you, Kavanaugh: You have released the whirlwind, and you will pay the price. You won't know what hit you if you go forward with these awful decisions.

That is a quote.

Well, the majority leader certainly did not mince words. The top Democrat in the U.S. Senate threatened two sitting Supreme Court Justices by name based on a case they were considering.

In the year since, the radical left has picked up the sword and carried on the fight. Last summer, as the Supreme Court considered a case on abortion rights, a radical organization released the home addresses of several Supreme Court Justices, and they encouraged protesters to show up at the Justices' private homes to harass and intimidate. It was a disgusting invasion of privacy and a massive security risk, which sadly was met with nothing more than a shrug by many of our Democratic colleagues.

Attorney General Garland himself had an opportunity to address this abhorrent conduct in the Judiciary Committee last week, and he confirmed that, to date, no prosecutions have been brought under a Federal statute making what these protesters did a crime—seeking to intimidate sitting Justices and cause them to change their opinion on legal matters that they were charged with. No prosecutions.

With no real repercussions for such gross behavior, the far left has now ex-

panded its attack to include other Federal judges.

Last month, the liberal news site Vox published a story railing against what it described as "Trump's worst judges," all of whom serve on the Federal courts in my State of Texas. The author of that piece tweeted the article that featured a photo of one of those judges, Matthew Kacsmaryk. The author added that Judge Kacsmaryk is "the single worst villain in the United States of America that most people have never heard of, and I am determined to make him a household name."

This blatant attack on this sitting Federal judge and on the independent judiciary wasn't just limited to a liberal news site; larger mainstream news sources joined in too. The Washington Post recently published an opinion piece that argued that the only way to "rein in Republican judges" is to shame them. These are Federal judges who were given life tenure following Senate confirmation for the very purpose of making them insulated from politics so that they can remain laser-focused on judging the law and interpreting the Constitution and applying it to the case before them.

The Washington Post opinion piece I am referring to says:

Democratic politicians, left-leaning activist groups, newspaper editorial boards, and other influential people and institutions need to start relentlessly blasting Republican-appointed judges.

A former aide to Senator SCHUMER, majority leader of the U.S. Senate, who now serves as the executive director of a dark money group called Demand Justice, shared that article on Twitter and endorsed the idea of referring to judges by "their party affiliation." Again, these are Senate-confirmed judges who serve for life who have basically forsworn politics. But this former aide to the Senate majority leader says: No, you need to refer to them by their party affiliation—presumably the party affiliation of the President who nominated them to the office.

As our country struggles to deal with hate speak online and threats of violence against our leaders and politicians, it is hard to imagine anything getting more dangerous than the rhetoric targeting Federal judges and the independent Federal judiciary.

Last summer, U.S. marshals arrested a man outside of Justice Kavanaugh's home who had traveled all the way from California with the intention of assassinating Justice Kavanaugh. When the man was arrested, he had in his possession a Glock 17 pistol, along with ammunition, a knife, a hammer, a crowbar, and zip ties. He told authorities that it was his plan to break into the house and kill Justice Kavanaugh and then take his own life. Thank God he was caught before anyone was harmed. But we may not be so lucky next time when this reprehensible, irresponsible rhetoric strikes unstable individuals and prompts them to do things that none of us, I hope, would want or endorse.

Blatant attacks against judges and our independent judiciary must come to an end.

Sadly, one of our Senate colleagues has joined the ranks of the angry mob. Last month, the senior Senator from Oregon delivered an incredibly dangerous speech here on the Senate floor advocating for the Biden administration to ignore a potential court order from Judge Kacsmaryk's court. To be clear, this is a U.S. Senator who said that the executive branch should disregard the lawful order of a Federal district judge. He wants the Constitution to be effectively ripped into shreds and thrown out the window if the judge happens to decide a case in a way that he doesn't approve of.

The left's attack on our independent judiciary keeps getting more and more dangerous. It doesn't matter what case is in a Federal court or what ruling is ultimately handed down—Senators must respect the Constitution itself, and with that comes three coequal branches of government.

Judicial independence is the thing that distinguishes our democracy and our Constitution from all other countries on the planet—judicial independence; judges who aren't afraid to call balls and strikes and interpret the Constitution, hopefully, as written and apply the laws that Congress passes. That judicial independence should never be threatened. If a U.S. Senator doesn't realize that, then we have some really, really big problems.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

(The remarks of Mr. COTTON pertaining to the introduction of S. 691 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. COTTON. I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

#### NOMINATION OF PATRICE H. KUNESH

Ms. SMITH. Mr. President, I rise today in support of the nomination of Patrice Kunesh to be the Commissioner of the Administration for Native Americans at the Department of Health and Human Services.

Ms. Kunesh is a descendant of the Standing Rock Lakota and a distinguished lawyer, advocate, and thought leader. She currently works at the Native American Rights Fund, but her career spans from being counsel for the Mashantucket Pequot Tribe to being the director of the Center for Indian Country Development at the Minneapolis Federal Reserve—all in the service of Native communities. Ms. Kunesh also served as the Deputy Solicitor at the Department of the Interior and as Deputy Under Secretary for Rural Development at the USDA.

The Administration for Native Americans at HHS helps Native communities, including Indian Tribes, Native Hawaiians, and Alaska Natives, with financial support and technical assistance for Native language preservation,



economic development, and self-sufficiency.

I know that Patrice is up to the task. She is knowledgeable, experienced, and deeply connected to Tribal leaders and Native communities. She knows how the Federal Government works and how we can best fulfill our trust and treaty responsibilities in Indian Country.

Patrice's nomination is supported by the National Congress of American Indians and numerous Tribal nations. Most importantly, filling this role at HHS is essential to meeting our responsibilities to Tribal nations and Native communities.

I urge my colleagues to vote yes on Patrice Kunesh's nomination.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NOMINATION OF ARUN SUBRAMANIAN

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Arun Subramanian to the U.S. District Court for the Southern District of New York.

Mr. Subramanian attended Case Western Reserve University and Columbia Law School. After graduating, he went on to clerk at all levels of the Federal judiciary—first for Judge Dennis Jacobs on the Second Circuit Court of Appeals, then for Judge Gerard E. Lynch on the U.S. District Court for the Southern District of New York, and finally for Justice Ruth Bader Ginsburg on the U.S. Supreme Court.

Mr. Subramanian then entered private practice in Manhattan, where he has focused on complex civil litigation. His work has covered a wide variety of issue areas, including State and Federal false claims, commercial and employment contract disputes, tort actions, securities, antitrust, fraud, and patent litigation. Mr. Subramanian has also dedicated hundreds of hours to his pro bono work, and he also coordinates his law firm's pro bono activities.

He was unanimously rated "well qualified" by the ABA and received a bipartisan vote in committee. In addition, he has the strong support of his home State Senators—Mr. SCHUMER and Mrs. GILLIBRAND—and his Supreme Court co-clerks. His fellow clerks emphasized that they had witnessed Mr. Subramanian's "collegial, candid, and fair-minded temperament."

Given his significant litigation experience and strong ties to the Southern District of New York, Mr. Subramanian will make an excellent addition to the District Court bench. I strongly support his nomination and urge my colleagues to do the same.

Mr. SCHUMER. Mr. President, today, the Senate confirms a first-rate legal

mind, someone I was proud to champion to the President for a lifetime appointment to the Federal bench, Arun Subramanian of New York.

Mr. Subramanian is the epitome of the American dream and a historymaker: The child of hard-working immigrants from India, he will become the first South Asian to preside in the Southern District, which has one of the largest South Asian populations in the country.

Mr. Subramanian's resume tells a very clear story. He is excellent. He is accomplished. He has dedicated his entire career fighting for average Americans. He served as a law clerk to Judge Dennis Jacobs on the Second Circuit, Judge Gerard Lynch in the Southern District of New York, and the late, great Justice Ruth Bader Ginsburg.

He is an expert in consumer protection, with years of experience defending those injured by unfair, illegal practices. He also defended victims of child trafficking and pornography.

Our courts need more people like Arun Subramanian. I am proud to support his confirmation. I thank my colleagues on both sides of the aisle for supporting him today.

Once we confirm Mr. Subramanian, this U.S. Senate majority will have confirmed 114 judges to the bench: 30 circuit court judges, 83 district court judges, and 1 incredible Supreme Court Justice in Ketanji Brown Jackson. Of those 114 nominations, 82 are women, 78 are people of color, and, again, Mr. Subramanian is the first South Asian judge confirmed to the Southern District of New York.

Because of the work done by this majority, our Federal judiciary is far more balanced, far more diverse, far more experienced than the one we just had 2 years ago. It is something every American can be proud of.

I yield the floor.

#### VOTE ON SUBRAMANIAN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Subramanian nomination?

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania (Mr. FETTERMAN), and the Senator from Arizona (Mr. KELLY) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO).

The result was announced—yeas 59, nays 37, as follows:

[Rollcall Vote No. 45 Ex.]

#### YEAS—59

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Romney
Blumenthal	Hirono	Rosen
Booker	Kaine	Rounds
Brown	Kennedy	Sanders
Cantwell	King	Schatz
Capito	Klobuchar	Schumer
Cardin	Lee	Shaheen
Carper	Lujan	Sinema
Casey	Manchin	Smith
Collins	Markey	Stabenow
Coons	McConnell	Tester
Cornyn	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Gillibrand	Murray	Welch
Graham	Ossoff	Whitehouse
Grassley	Padilla	Wyden
Hassan	Peters	

#### NAYS—37

Blackburn	Hagerty	Rubio
Boozman	Hawley	Schmitt
Braun	Hoeben	Scott (FL)
Britt	Hyde-Smith	Scott (SC)
Budd	Johnson	Sullivan
Cassidy	Lankford	Thune
Cotton	Lummis	Tillis
Cramer	Marshall	Tuberville
Crapo	Moran	Vance
Cruz	Mullin	Wicker
Daines	Paul	Young
Ernst	Ricketts	
Fischer	Risch	

#### NOT VOTING—4

Barrasso	Fetterman
Feinstein	Kelly

The nomination was confirmed.

The PRESIDING OFFICER (Mr. MARKEY). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 45, Patrice H. Kunesh, of Minnesota, to be Commissioner of the Administration for Native Americans, Department of Health and Human Services.

Charles E. Schumer, Bernard Sanders, Alex Padilla, Richard J. Durbin, Tim Kaine, Margaret Wood Hassan, Ben Ray Lujan, Raphael G. Warnock, Tammy Duckworth, Jack Reed, John W. Hickenlooper, Catherine Cortez Masto, Tammy Baldwin, Brian Schatz, Christopher Murphy, Tina Smith, Debbie Stabenow.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Patrice H. Kunesh, of Minnesota, to be Commissioner of the Administration for Native Americans, Department of Health and Human Services, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania (Mr. FETTERMAN), and the Senator from Arizona (Mr. KELLY) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO).

The yeas and nays resulted—yeas 62, nays 34, as follows:

[Rollcall Vote No. 46 Ex.]

#### YEAS—62

Baldwin	Hirono	Rounds
Bennet	Hoeben	Sanders
Blumenthal	Kaine	Schatz
Booker	Kennedy	Schumer
Brown	King	Shaheen
Cantwell	Klobuchar	Sinema
Capito	Lujan	Smith
Cardin	Manchin	Stabenow
Carper	Markey	Sullivan
Casey	McConnell	Tester
Collins	Menendez	Thune
Coons	Merkley	Tillis
Cortez Masto	Moran	Van Hollen
Cramer	Murkowski	Warner
Daines	Murphy	Warnock
Duckworth	Murray	Warren
Durbin	Ossoff	Welch
Gillibrand	Padilla	Whitehouse
Hassan	Peters	Wyden
Heinrich	Reed	Young
Hickenlooper	Rosen	

#### NAYS—34

Blackburn	Graham	Ricketts
Boozman	Grassley	Risch
Braun	Hagerty	Romney
Britt	Hawley	Rubio
Budd	Hyde-Smith	Schmitt
Cassidy	Johnson	Scott (FL)
Cornyn	Lankford	Scott (SC)
Cotton	Lee	Tuberville
Crapo	Lummis	Vance
Cruz	Marshall	Warren
Ernst	Mullin	Wicker
Fischer	Paul	

#### NOT VOTING—4

Barrasso	Fetterman
Feinstein	Kelly

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 62, the nays are 34.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. The clerk will report the nomination.

The bill clerk read the nomination of Patrice H. Kunes, of Minnesota, to be Commissioner of the Administration for Native Americans, Department of Health and Human Services.

The ACTING PRESIDENT pro tempore. The majority leader.

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate consider the following nominations en bloc: Calendar Nos. 58 and 59; that the Senate vote on the nominations en bloc without intervening action or debate, the motions to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate's action.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the en bloc nominations of Kate E. Brubacher, of Kansas, to be United States Attorney for the District of Kansas for the term of four years and Ismail J. Ramsey, of California, to be United States Attorney for the Northern District of California for the term of four years?

The nominations were confirmed en bloc.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### CONFIRMATION OF ROBERT STEWART BALLOU

Mr. DURBIN. Mr. President, today, the Senate voted to confirm Judge Robert Ballou to the U.S. District Court for the Western District of Virginia.

Born in Roanoke, VA, Judge Ballou received both his bachelor's degree and J.D. from the University of Virginia. After clerking for Judge Peter H. Beer on the U.S. District Court for the Eastern District of Louisiana, Judge Ballou began his legal career at Christian, Barton, Epps, Brent & Chappell as an associate, where he worked on a variety of matters, including insurance defense, products liability, and traffic and misdemeanor offenses. He then went on to work for Johnson, Ayers & Matthews, PLC as an associate, where he tried more than 50 cases to verdict before a jury, including matters involving personal injury, products liability, and construction defects. In 2011, Judge Ballou was appointed to serve as a U.S. magistrate judge for the same district to which he is now nominated. As a magistrate, he has presided over approximately 300 cases.

The American Bar Association rated Judge Ballou unanimously "well qualified," and he has the strong support of Senators WARNER and Kaine. Judge Ballou's deep ties to the Virginia legal community, combined with his significant courtroom experience, will make him an excellent addition to the Federal district court bench.

I was pleased to support his nomination.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. TESTER, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute:

S. 30. A bill to authorize major medical facility projects for the Department of Vet-

erans Affairs for fiscal year 2023, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. HASSAN (for herself and Mr. BRAUN):

S. 666. A bill to amend title 31, United States Code, to require the Chief Operating Officer of each agency to compile a list of unnecessary programs, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CARDIN (for himself and Mr. VAN HOLLEN):

S. 667. A bill to provide for a Federal partnership to ensure educational equity and quality; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOZMAN (for himself and Mr. COTTON):

S. 668. A bill to require the Secretary of the Treasury to mint coins to honor and memorialize the tragedy of the Sultana steamboat explosion of 1865; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN (for himself, Ms. COLLINS, Mr. HEINRICH, and Mr. MULLIN):

S. 669. A bill to amend title XVIII of the Social Security Act to expand access to psychological and behavioral services; to the Committee on Finance.

By Mr. PETERS (for himself, Mr. LANKFORD, and Mr. CORNYN):

S. 670. A bill to improve services for trafficking victims by establishing, in Homeland Security Investigations, the Investigators Maintain Purposeful Awareness to Combat Trafficking Trauma Program and the Victim Assistance Program; to the Committee on Homeland Security and Governmental Affairs.

By Mr. RISCH (for himself, Mr. KING, Mr. CRAPO, Ms. COLLINS, Mr. SCOTT of South Carolina, and Mr. CORNYN):

S. 671. A bill to exempt certain 16- and 17-year-old individuals employed in logging operations from child labor laws; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CORTEZ MASTO (for herself, Mr. DURBIN, Mr. PADILLA, Mr. BLUMENTHAL, Mr. BOOKER, Ms. WARREN, Mr. MARKEY, Mr. SANDERS, Mr. MURPHY, Mrs. GILLIBRAND, Mrs. FEINSTEIN, Mr. LUJAN, Mr. HICKENLOOPER, Mr. WELCH, Mr. WHITEHOUSE, Mr. WARNER, Mrs. MURRAY, Ms. SMITH, Mr. MENENDEZ, Mr. BENNET, Mr. WYDEN, Mr. MERKLEY, Mr. KELLY, Mr. BROWN, and Mr. WARNOCK):

S. 672. A bill to enable the payment of certain officers and employees of the United States whose employment is authorized pursuant to a grant of deferred action, deferred enforced departure, or temporary protected status; to the Committee on Appropriations.

By Ms. ROSEN (for herself, Ms. ERNST, Ms. DUCKWORTH, and Mr. RUBIO):

S. 673. A bill to allow nonprofit child care providers to participate in certain loan programs of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. SULLIVAN (for himself and Mr. DAINES):

S. 674. A bill to require each agency to repeal or amend 2 or more rules before issuing or amending a rule; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SULLIVAN (for himself and Mr. LANKFORD):

S. 675. A bill to amend title 5, United States Code, to postpone the effective date of high-impact rules pending judicial review; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SULLIVAN (for himself, Mrs. HYDE-SMITH, Mr. DAINES, Mr. BRAUN, and Mr. LANKFORD):

S. 676. A bill to amend sections 801 and 804 of title 5, United States Code, to include guidance issued guidance issued by non-agencies, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASSIDY (for himself and Ms. DUCKWORTH):

S. 677. A bill to amend the Internal Revenue Code of 1986 to provide for the deductibility of charitable contributions to certain organizations for members of the Armed Forces; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, Mr. LEE, and Mr. DURBIN):

S. 678. A bill to amend the Sherman Act to make oil-producing and exporting cartels illegal; to the Committee on the Judiciary.

By Mr. SCOTT of Florida (for himself and Mr. PETERS):

S. 679. A bill to amend chapter 8 of title 5, United States Code, to require Federal agencies to submit to the Comptroller General of the United States a report on rules that are revoked, suspended, replaced, amended, or otherwise made ineffective; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WYDEN:

S. 680. A bill to provide rental vouchers for the homeless, and for other purposes; to the Committee on Finance.

By Mr. MARKEY (for himself, Mr. MERKLEY, Ms. WARREN, Mr. SANDERS, and Mr. WYDEN):

S. 681. A bill to prohibit biometric surveillance by the Federal Government without explicit statutory authorization and to withhold certain Federal public safety grants from State and local governments that engage in biometric surveillance; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Mr. RISCH, Ms. DUCKWORTH, and Mr. ROMNEY):

S. 682. A bill to provide for the treatment of the Association of Southeast Asian Nations (ASEAN) as an international organization for purposes of the International Organizations Immunities Act, and for other purposes; to the Committee on Foreign Relations.

By Mr. PADILLA (for himself and Mrs. FEINSTEIN):

S. 683. A bill to modify the boundary of the Berryessa Snow Mountain National Monument to include certain Federal land in Lake County, California, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HAWLEY:

S. 684. A bill to prohibit the acquisition and ownership of agricultural land by certain foreign entities, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEE (for himself, Mr. CRUZ, Mr. TUBERVILLE, Mr. DAINES, Mrs. BRITT, Mrs. BLACKBURN, Mr. COTTON, Mr. MORAN, Mr. GRAHAM, Mr. GRASSLEY, Mr. BRAUN, and Ms. ERNST):

S. 685. A bill to close loopholes in the immigration laws that serve as incentives to aliens to attempt to enter the United States unlawfully, and for other purposes; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Mr. THUNE, Ms. BALDWIN, Mrs. FISCHER,

Mr. MANCHIN, Mr. MORAN, Mr. BENNET, Mr. SULLIVAN, Mrs. GILLIBRAND, Ms. COLLINS, Mr. HEINRICH, Mr. ROMNEY, and Mrs. CAPITO):

S. 686. A bill to authorize the Secretary of Commerce to review and prohibit certain transactions between persons in the United States and foreign adversaries, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SCOTT of Florida:

S. 687. A bill to require the Federal Trade Commission to conduct a study regarding social media use by teenagers; to the Committee on Commerce, Science, and Transportation.

By Mr. SCOTT of Florida:

S. 688. A bill to impose notice and consent requirements on internet platforms that use algorithms to manipulate the availability of content on the platform; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER (for himself and Mr. PAUL):

S. 689. A bill to amend the Controlled Substances Act to define currently accepted medical use with severe restrictions, and for other purposes; to the Committee on the Judiciary.

By Mr. HICKENLOOPER (for himself, Mr. MORAN, Mr. TESTER, and Mrs. CAPITO):

S. 690. A bill to direct the Federal Communications Commission to evaluate and consider the impact of the telecommunications network equipment supply chain on the deployment of universal service, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COTTON (for himself, Mrs. BLACKBURN, Mr. BRAUN, Mr. CRAMER, Mr. CRUZ, Mr. DAINES, Mr. GRAHAM, Mr. GRASSLEY, Mr. HAGERTY, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. LANKFORD, Mr. MARSHALL, Mr. RUBIO, Mr. SCOTT of Florida, Mr. THUNE, Mr. WICKER, and Mr. YOUNG):

S. 691. A bill to deter foreign financial institutions from providing banking services for the benefit of foreign terrorist organizations and from facilitating or promoting payments for acts of terrorism; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASSIDY (for himself, Mr. COONS, Ms. COLLINS, and Mr. KAINE):

S. 692. A bill to require the Social Security Administration to make changes to the social security terminology used in the rules, regulation, guidance, or other materials of the Administration; to the Committee on Finance.

By Mr. HAWLEY:

S. 693. A bill to amend chapter 131 of title 5, United States Code, to prohibit certain executive branch officials from holding individual stocks, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BROWN (for himself, Ms. WARREN, and Mr. MARKEY):

S. Res. 95. A resolution honoring the life of Dr. Paul Farmer by recognizing the duty of the Federal Government to adopt a 21st century global health solidarity strategy and take actions to address past and ongoing harms that undermine the health and well-being of people around the world; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 105

At the request of Mr. LEE, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 105, a bill to have education funds follow the student.

S. 168

At the request of Mr. ROUNDS, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 168, a bill to amend the Defense Production Act of 1950 to include the Secretary of Agriculture on the Committee on Foreign Investment in the United States and require review of certain agricultural transactions, and for other purposes.

S. 316

At the request of Mr. KAINE, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Hawaii (Mr. SCHATZ) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 316, a bill to repeal the authorizations for use of military force against Iraq.

S. 344

At the request of Mr. TESTER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 344, a bill to amend title 10, United States Code, to provide for concurrent receipt of veterans' disability compensation and retired pay for disability retirees with fewer than 20 years of service and a combat-related disability, and for other purposes.

S. 391

At the request of Mr. BOOZMAN, the names of the Senator from Idaho (Mr. CRAPO), the Senator from Nebraska (Mrs. FISCHER), the Senator from Iowa (Mr. GRASSLEY), the Senator from Ohio (Mr. VANCE), the Senator from Wyoming (Ms. LUMMIS), the Senator from North Dakota (Mr. CRAMER) and the Senator from Louisiana (Mr. KENNEDY) were added as cosponsors of S. 391, a bill to amend the Securities Exchange Act of 1934 to prohibit the Securities and Exchange Commission from requiring an issuer to disclose information relating to certain greenhouse gas emissions, and for other purposes.

S. 401

At the request of Mr. CRAPO, the name of the Senator from Oklahoma (Mr. MULLIN) was added as a cosponsor of S. 401, a bill to amend the Internal Revenue Code of 1986 to remove silencers from the definition of firearms, and for other purposes.

S. 443

At the request of Mr. BROWN, the name of the Senator from Alabama (Mrs. BRITT) was added as a cosponsor of S. 443, a bill to treat certain liquidations of new motor vehicle inventory as qualified liquidations of LIFO inventory for purposes of the Internal Revenue Code of 1986.

S. 505

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 505, a bill to amend section

212(d)(5) of the Immigration and Nationality Act to reform immigration parole, and for other purposes.

S. 549

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 549, a bill to require enforcement against misbranded milk alternatives.

S. 573

At the request of Mr. BOOKER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 573, a bill to remove all statues of individuals who voluntarily served the Confederate States of America from display in the United States Capitol.

S. 582

At the request of Mr. RUBIO, the name of the Senator from Alabama (Mrs. BRITT) was added as a cosponsor of S. 582, a bill to make daylight saving time permanent, and for other purposes.

S. 597

At the request of Mr. BROWN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 597, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 613

At the request of Mr. TUBERVILLE, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Ohio (Mr. VANCE) were added as cosponsors of S. 613, a bill to provide that for purposes of determining compliance with title IX of the Education Amendments of 1972 in athletics, sex shall be recognized based solely on a person's reproductive biology and genetics at birth.

S. 632

At the request of Mr. RISCH, the names of the Senator from Texas (Mr. CORNYN), the Senator from Mississippi (Mrs. HYDE-SMITH) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 632, a bill to amend the Internal Revenue Code of 1986 to require the Bureau of Alcohol, Tobacco, Firearms, and Explosives to establish an administrative relief process for individuals whose applications for transfer and registration of a firearm were denied, and for other purposes.

S. 646

At the request of Mr. COONS, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 646, a bill to amend the Energy Policy Act of 2005 to establish a Hydrogen Technologies for Heavy Industry Demonstration Program, and for other purposes.

S. 647

At the request of Mr. CORNYN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 647, a bill to require the Secretary of Transportation to establish a grant program to support the use

of hydrogen- or ammonia-fueled equipment at ports and to require the Secretary of the department in which the Coast Guard is operating to conduct a study, together with the Secretary of Energy and the Secretary of Transportation, regarding the feasibility and safety of using hydrogen and ammonia as fuels in maritime applications.

S. 648

At the request of Mr. COONS, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 648, a bill to require the Secretary of Transportation, in consultation with the Secretary of Energy, to establish a grant program to demonstrate the performance and reliability of heavy-duty fuel cell vehicles that use hydrogen as a fuel source, and for other purposes.

S. 649

At the request of Mr. CORNYN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 649, a bill to require the Secretary of Energy to establish a hydrogen infrastructure finance and innovation pilot program, and for other purposes.

S. 665

At the request of Ms. KLOBUCHAR, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 665, a bill to provide incentives to physicians to practice in rural and medically underserved communities, and for other purposes.

S.J. RES. 10

At the request of Mr. TUBERVILLE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S.J. Res. 10, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Veterans Affairs relating to "Reproductive Health Services".

S.J. RES. 11

At the request of Mrs. FISCHER, the name of the Senator from Nebraska (Mr. RICKETTS) was added as a cosponsor of S.J. Res. 11, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Environmental Protection Agency relating to "Control of Air Pollution From New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards".

S. RES. 72

At the request of Mr. RISCH, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. Res. 72, a resolution recognizing Russian actions in Ukraine as a genocide.

S. RES. 81

At the request of Mr. RISCH, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. Res. 81, a resolution relating to the establishment of a means for the Senate to provide advice and consent regarding the form of an international agreement relating to pan-

demic prevention, preparedness, and response.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PADILLA (for himself and Mrs. FEINSTEIN):

S. 683. A bill to modify the boundary of the Berryessa Snow Mountain National Monument to include certain Federal land in Lake County, California, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. PADILLA. Madam President, I rise to introduce the Berryessa Snow Mountain National Monument Expansion Act.

This legislation would expand the Berryessa Snow Mountain National Monument to include approximately 3,925 acres of adjacent public land managed by the Bureau of Land Management.

In 2015, President Obama established the Berryessa Snow Mountain National Monument, proclaiming that "once covered by ocean waters, it is a landscape shaped by geologic forces of staggering power overlain with bountiful but fragile biodiversity. Anchored in the north by Snow Mountain's remote forests and in the south by scenic Berryessa Mountain, this area stretches through unbroken wildlands and important wildlife corridors, a mosaic of native grasslands, picturesque oak woodlands, rare wetlands, and wild chaparral . . . This dramatic and diverse landscape is a biological hotspot providing refuge for rare plant and animal species and showcasing the human history of north-central California."

The Berryessa Snow Mountain National Monument is managed jointly by the Bureau of Land Management, BLM, and the U.S. Forest Service, USFS, and provides for unparalleled outdoor recreational opportunities, is home to rich biodiversity, and contains lands that are culturally significant to over two dozen federally recognized Tribes. This legislation would add over 3,900 acres of adjacent, BLM-administered land to the existing national monument.

This expansion would include portions of the land known previously as Walker Ridge in Lake County, CA. Importantly, the legislation renames "Walker Ridge" to "Condor Ridge", which is translated from Molok Luyuk in the indigenous Patwin language. For thousands of years, these sacred lands have been central to Tribal origin stories, and Condor Ridge is an area that retains deep cultural significance to the Patwin people and over two dozen Native American Tribes. The legislation also directs the BLM and USFS to complete the management plan for the national monument and to consult with federally recognized Tribes to do so.

I am proud that this legislation would better enable federally recognized Tribes to be involved in the day-

to-day management of the national monument. This essential, landmark component of the legislation would enable Tribal communities to share their rich history and ecological knowledge to better conserve and care for these lands.

With the protections provided by this legislation, the abundant natural resources and the rich history on Molok Luyuk will be preserved for our children and future generations. By requiring the Federal Agencies to finally develop a management plan and by allowing for Tribal governments to be involved in the management of the monument, the bill would improve the health of these lands to benefit both people and biodiversity.

I thank Senator FEINSTEIN for introducing this legislation with me, and I thank Congressmen GARAMENDI and THOMPSON for spearheading this effort in the House of Representatives. I would also like to thank Chairman MANCHIN and Ranking Member BARRASSO for working with me on this legislation and the entire Energy and Natural Resources Committee for unanimously supporting this legislation through committee last Congress. I am hopeful that we will see similar bipartisan support in the 118th Congress.

I would also like to thank the Yocha Dehe Wintun Nation for their leadership and desire to cooperatively manage Molok Luyuk to ensure that all Californians and Americans have the opportunity to benefit from these sacred lands.

I look forward to working with my colleagues to enact the Berryessa Snow Mountain National Monument Expansion Act as quickly as possible.

By Mr. COTTON (for himself, Mrs. BLACKBURN, Mr. BRAUN, Mr. CRAMER, Mr. CRUZ, Mr. DAINES, Mr. GRAHAM, Mr. GRASSLEY, Mr. HAGERTY, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. LANKFORD, Mr. MARSHALL, Mr. RUBIO, Mr. SCOTT of Florida, Mr. THUNE, Mr. WICKER, and Mr. YOUNG):

S. 691. A bill to deter foreign financial institutions from providing banking services for the benefit of foreign terrorist organizations and from facilitating or promoting payments for acts of terrorism; to the Committee on Banking, Housing, and Urban Affairs.

Mr. COTTON. Madam President, there is one foreign leader for whom the Democratic Party seems to reserve special scorn. Leading Democrats have called him a reactionary, a racist, an ethnonationalist. They have accused him of committing war crimes and of leading an apartheid state. President Biden has called him extreme and has said they don't agree on a damn thing. Strong words.

Who is this monster, you may ask. Were the Democrats talking about Vladimir Putin or Xi Jinping or, perhaps, Ayatollah Khamenei? No. They were referring to Benjamin Netanyahu,

Israel's longest serving Prime Minister and one of America's best friends.

Once again, these Democrats have proven their party's tendency to coddle our enemies and condemn our friends. But the Democrats don't stop at mere words. They are working right now to undermine Bibi and his government.

Yesterday, the Washington Free Beacon reported that the State Department is funneling your tax dollars to Netanyahu's domestic opponents. Since 2020, the State has sent more than \$38,000 to something known as the Movement for Quality Government, for so-called democracy education.

So what is the Movement for Quality Government, and how good is this democracy education?

This movement is an activist group that is fomenting unrest against the Israeli Government and demanding Netanyahu's resignation. In recent days, leftwing demonstrators associated with this group have protested the government's proposed judicial reforms. Last week, hundreds of protesters harassed Netanyahu's wife, forcing police to intervene and escort her to safety.

Far from staying neutral in Israel's domestic affairs, Secretary of State Tony Blinken lectured Netanyahu about the judicial reforms to his face, tacitly siding with the demonstrators. Some Democratic Senators have also condemned the reform proposals, which is awfully rich coming from Democrats who have voted to shred this Senate's ancient rules to pack our Supreme Court and to rewrite our founding documents. I guess, when American liberals want to change the courts, it is the only way to save democracy; but when Israeli conservatives want to, it is a threat to democracy. Go figure.

The State Department doesn't even deny it is funneling money to these leftwing activities, by the way, which is troubling because it is a clear violation of the usual State Department policy against funding foreign partisan organizations.

Not only is this U.S.-funded organization subverting a foreign government, it is subverting the government of one of our closest allies. Secretary Blinken should immediately apologize to the Prime Minister of Israel, demand your money back, and open an investigation into how this happened. But then again, I suspect we already know how this happened. After all, the Democratic Party has been meddling in Israeli democracy to undermine Benjamin Netanyahu for more than a quarter century.

By his own admission, President Bill Clinton intervened in the 1996 Israeli election to support Netanyahu's opponent, Shimon Peres. Clinton met with Peres; dispatched his own campaign advisers; dangled policy shifts to Israel—all to get Peres across the finish line. Netanyahu prevailed nevertheless.

Team Clinton intervened, yet again, in 1999. The Clinton White House reportedly urged Democratic donors to

give money to Netanyahu's next opponent, Ehud Barak.

And it didn't stop there. Clinton's political advisers again campaigned against Bibi while the Clinton State Department allegedly spread falsehoods about the Israeli Government and Netanyahu himself.

Netanyahu lost this time around; though, he was more of a victim of his own success against Palestinian terrorism than Barak and Clinton's campaign against him. But Bibi returned to the Knesset just 3 years later and became Prime Minister again in 2009.

The Obama State Department was, if anything, worse than Clinton's in its funneling of hundreds of thousands of your tax dollars to a group called the OneVoice Movement. Not coincidentally, OneVoice partnered with an organization running anti-Netanyahu ads that was advised by—you guessed it—a top Obama campaign operative.

Of course, the Democrats will insist they are innocent of these charges and aren't meddling in Israel's democracy, but Israelis know the truth. Obama's meddling was so pervasive that an astounding 62 percent of Israelis thought he was interfering. Indeed, one Foreign Policy magazine headline read "Obama is Pursuing Regime Change in Israel"—not in Iran—our mortal enemy—but in Israel, mind you.

Now Joe Biden is simply following in Obama's footsteps by trying to sabotage Netanyahu. In 2021, the Biden administration reportedly pressured the United Arab Emirates to cancel an Abraham Accords Summit—all to deprive Netanyahu of a diplomatic victory ahead of that year's election. Then, after Netanyahu won the 2022 election, the Biden administration immediately sought to undermine his coalition government by trying to veto key Cabinet appointments.

This most recent scandal is not an aberration, therefore. It has been the de facto policy of the Democratic Party for a quarter century to beat Netanyahu, though he keeps beating the Democrats. Though, it does provide more evidence, yet again, for the old saw that while it is dangerous to be America's enemy, it can be fatal to be America's friend—at least when the Democrats are in charge.

Instead of trying to topple the democratically elected Government of Israel, I would suggest we should support it. Israelis are more than capable of managing their domestic affairs without Democratic meddling, but they need our help to stop Iran from getting a nuclear bomb; they need our help to achieve peace with their neighbors; and they need our help to defeat the terrorists who are threatening both of our nations.

They don't get that from the Biden administration either. Iran is racing toward a nuclear breakout while the President dithers. His administration can barely utter the words "Abraham Accords," and President Biden is

breaking U.S. law to subsidize the Palestinian Authority's support for terrorism.

A few years back, Congress passed the Taylor Force Act, which prohibits nonhumanitarian aid to the Palestinian Authority until it ends its so-called martyr payments—a euphemism for bounties given to Palestinian terrorists or their families for maiming and killing Jews. So the administration has, instead, funneled tens of millions of your tax dollars to nongovernmental organizations to build roads, sidewalks, parking lots, and other infrastructure projects on behalf of the Palestinian Authority. As a result, since money is fungible, the Palestinian Authority can ignore these basic responsibilities of government and, instead, keep pouring more money into its pay-for-slay program.

The contrast couldn't be starker. If the Palestinian Authority wants to bankroll terrorists and their families, the Biden administration will contort the law beyond recognition to fund the Palestinians; but if a center-right government gets elected once again in Israel, the Biden administration will work overtime to undermine it. This is exactly backward. We should demand the Palestinian Authority stop subsidizing terrorism before it gets another penny of your tax dollars.

While we are at it, we should pass the Taylor Force Martyr Payment Prevention Act, which I am reintroducing this week, to sanction foreign banks that process these so-called martyr payments for the Palestinian Authority.

Meanwhile, President Biden and his administration should quit treating Prime Minister Netanyahu like he is a rival or even an adversary and start treating him as he is—a war hero, a courageous patriot, a towering figure of modern Israel, and most importantly for us, a great friend of America.

#### SUBMITTED RESOLUTIONS

**SENATE RESOLUTION 95—HONORING THE LIFE OF DR. PAUL FARMER BY RECOGNIZING THE DUTY OF THE FEDERAL GOVERNMENT TO ADOPT A 21ST CENTURY GLOBAL HEALTH SOLIDARITY STRATEGY AND TAKE ACTIONS TO ADDRESS PAST AND ONGOING HARMS THAT UNDERMINE THE HEALTH AND WELL-BEING OF PEOPLE AROUND THE WORLD**

Mr. BROWN (for himself, Ms. WARREN, and Mr. MARKEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 95

Whereas Dr. Paul Farmer, who pioneered novel community-based strategies for the delivery of high-quality health care in impoverished settings, inspired a paradigmatic shift in global health, including inspiring robust United States leadership to address the

global HIV/AIDS epidemic in the early 2000s through the United States President's Emergency Plan for AIDS Relief and the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

Whereas, in spite of progress made in global health, weak health systems continue to cause millions of people, primarily the global poor, to die tragic and unnecessary deaths, including—

- (1) annually, approximately—
  - (A) 680,000 deaths from HIV/AIDS;
  - (B) 1,500,000 deaths from tuberculosis;
  - (C) 627,000 deaths from malaria;
  - (D) 295,000 deaths of mothers during and following pregnancy and childbirth;
  - (E) 9,560,000 deaths among children under the age of 15; and
  - (F) 560,000 deaths of children and young adults, living among the poorest billion people in the world, from non-communicable diseases and injuries; and
- (2) a SARS-CoV-2 case-fatality rate of up to 300 percent greater in low-income countries than in high-income countries during the first 2 years of the COVID-19 pandemic;

Whereas progress against unnecessary deaths in impoverished countries is being made, but progress is occurring so slowly that—

- (1) based on rates of decline from 2013 to 2022, it will take approximately a century for core mortality statistics in low-income countries to converge with those of high-income countries, including—
  - (A) 92 years for the tuberculosis death rate;
  - (B) 109 years for the maternal mortality rate; and
  - (C) 88 years for the under-15 child mortality rate; and
- (2) the death rate in low- and middle-income countries from non-communicable diseases and injuries, which make up 40 to 60 percent of the disease burden of those countries, will never converge with that of high-income countries based on rates of reduction from 2013 to 2022;

Whereas weak health systems that fail to prevent unnecessary deaths also lack the staff, health facility infrastructure, and medical technologies required for effective care delivery and disease containment, placing all countries at increased risk of pandemic disease;

Whereas essential medical technologies, such as diagnostics, treatments, and vaccines for diseases that affect the global poor, are frequently unavailable or inaccessible to health systems in developing countries, because—

- (1) investing in research and development of technologies for diseases that disproportionately affect the global poor is often unprofitable for pharmaceutical corporations;
- (2) costly intellectual property licensing fees from originator companies to generic manufacturers frequently leave the global poor unable to purchase or access medical technologies; and
- (3) originator technology companies often refuse to share or license intellectual property to generic manufacturers, which results in limited supply and high prices, as was the case with the COVID-19 vaccine;

Whereas, according to the Lancet Commission on Investing in Health, preventing most avertable deaths and conferring “essential universal health coverage” in low- and lower-middle income countries requires an increase in annual health systems resources in those countries of \$75,000,000,000 and \$293,000,000,000 (in United States dollars as of 2016), respectively;

Whereas, historically, the United States and other global North-supported global health programs have inadvertently entrenched standards of care in low-income

countries that would be unacceptable in rich countries by funding only health services narrowly defined as “sustainable”, “cost-effective”, or “appropriate” in poor settings;

Whereas the effectiveness and efficiency of current United States overseas development assistance for health is often undermined by—

- (1) misalignment with the national health plans of the host country;
- (2) bypassing delivery systems with parallel inputs, leading to—
  - (A) fragmentation of care delivery;
  - (B) poor donor coordination across partners; and
  - (C) weak health systems;
- (3) favoring technical assistance from consultants from high-income countries, especially the United States, over funding health service delivery in beneficiary countries; and
- (4) promoting privatization of health services, which weakens—
  - (A) the public health system;
  - (B) health care access;
  - (C) health equity; and
  - (D) financial risk protection;

Whereas 98 percent of the annual \$1,500,000,000,000 in health spending in aid-eligible low- and middle-income countries is mobilized domestically by the countries themselves, and only 2 percent of this spending comes from overseas development assistance for health;

Whereas many of the poorest developing countries lack the tax capacity to mobilize the necessary resources to close the universal health coverage financing gap, meaning unnecessary deaths will continue in the poorest developing countries for the foreseeable future without external donor financing or dramatic increases in domestic tax capacity;

Whereas the inability of many of the poorest developing countries to fully close the financing gap for universal health coverage and the provision of numerous other public goods and services is in part due to the intimate economic links between those countries and high-income countries, including the United States, which have been marked throughout history by acts of violence and coercion;

Whereas these harms have entrenched a global economic architecture of upward wealth redistribution that has resulted in—

- (1) depressed wages of workers and artificially low prices of natural resources in developing countries, amounting to an appropriation of tens of billions of tons of raw materials and hundreds of billions of hours of human labor through unequal exchange;
- (2) 3,500,000,000 people living under the poverty line of \$5.50 from 1993 to 2023, even as global gross domestic product has more than tripled in size during this time;
- (3) more financial resources flowing out of developing countries than into developing countries each year, estimated by Global Financial Integrity to total a net negative of \$2,000,000,000,000 annually in 2012;
- (4) developing countries bearing nearly all deaths and the vast majority of economic losses attributable to climate change, despite rich countries bearing 92 percent of the responsibility for climate change;

Whereas leadership from the United States to close the financing gaps for essential universal health coverage in low- and lower-middle income countries could precipitate increased global health financing from other donor partners, as evidenced by United States leadership that addressed the HIV/AIDS epidemic in the early 2000s, which spurred a 100 percent increase in global overseas development assistance among all donor partners from 2000 to 2006;

Whereas official United States development assistance to lower-middle income



countries is not a supplement for United States action to stop ongoing structural violence and economic injustices preventing countries from financing and delivering universal health care and other social services for their populations; and

Whereas it is the view of the Senate that creating a decent, humane world without tragic, unnecessary deaths requires both a modest but meaningful increase in global health aid funding and a meaningful effort to stop the economic abuse of low- and middle-income countries: Now, therefore, be it

*Resolved*, That it be the sense of the Senate that—

(1) the Federal Government should adopt a new, 21st century global health solidarity strategy to end medically unnecessary deaths and respond to the full burden of disease in poor countries by—

(A) supporting developing countries to meet the material needs of their health systems by localizing investments in support of national public-sector and local priorities, referred to as “accompaniment” by Dr. Paul Farmer, and delivered through what Dr. Paul Farmer called the “Five S’s”, which refers to—

(i) staff, meaning the human resources necessary for high quality service delivery, including clinical staff, transportation teams, and community health workers, especially by—

(I) supporting long-term training and education systems, including medical schools and teaching hospitals to train the health workforce and improve the quality of care across diseases; and

(II) supporting professionalized community health worker programs whereby community health workers are recruited, adequately compensated, comprehensively trained, supported for long-term retention, positioned as bridges to care, and tasked with undertaking community work with appropriate patient ratios and a manageable scope of work;

(ii) space, meaning the infrastructure needed for service delivery at primary, secondary, and tertiary levels to deliver safe and high-quality care to meet all health care needs;

(iii) stuff, meaning the tools and resources necessary for high-quality care provision, including medical supplies, technologies, and equipment;

(iv) systems, meaning the leadership and governance, health information systems, supply chain systems, logistics, laboratory capacity, and referral pathways required to meet the health needs of the population; and

(v) social support, meaning the resources needed, beyond the direct delivery of health care, to ensure effective care; and

(B) financing the discovery and development of new, urgently needed health technologies, such as diagnostics, treatments, and vaccines, particularly for neglected diseases of poverty, and ensuring their availability as global public goods;

(2) the objectives of adopting a 21st century global health solidarity strategy to end medically unnecessary deaths and responding to the full burden of disease in poor countries will require—

(A) increasing annual global health spending to \$125,000,000,000, sufficient—

(i) for the first time, to meet the United Nations development assistance target of spending the equivalent of 0.7 percent gross national income on development assistance, which 6 other countries have previously met; and

(ii) to close over 100 percent of the essential universal health coverage financing gap for low-income countries, and 30 percent of the overall financing gap for low- and lower-middle income countries;

(B) optimizing global health delivery spending by—

(i) introducing a new form of coordinated, multilateral fiscal cooperation for global public investment that—

(I) ensures increased and ongoing global public funding of common goods for health; and

(II) exhibits shared governance with global South governments and meaningful participation of civil society, which is also essential for addressing intersectional crises of social inequalities including the climate crisis; and

(ii) ensuring funding directly supports national health plans, public institutions, local priorities, and donor coordination, practices aligned with what Dr. Paul Farmer called “accompaniment”;

(C) focusing on health service delivery for vulnerable populations, such as—

(i) people living in poverty;

(ii) women; and

(iii) children; and

(D) optimizing research and development spending for neglected diseases of poverty by ensuring the knowledge and technology produced by these efforts remains accessible to all as global public goods;

(3) the Federal Government should pass and enforce laws and use its diplomatic influence to stop ongoing economic harms to developing countries that deplete impoverished countries of the resources required to provide health and social services for their populations by—

(A) supporting debt cancellation initiatives for low- and middle-income countries, particularly countries in need of debt cancellation, across bilateral, multilateral, and private creditors;

(B) democratizing institutions of global governance, such as the International Monetary Fund, the World Bank, and the World Trade Organization, to ensure fair and equal representation among member countries so that low- and middle-income countries can have greater decisionmaking power in the creation of policies that affect them;

(C) supporting a United Nations Convention on Tax and other measures to dramatically reduce tax avoidance, tax evasion, and other forms of harmful licit and illicit financial flows from developing countries through fundamental reform of international tax cooperation;

(D) supporting global labor rights and living wages, such as a global minimum wage set at local living-income thresholds; and

(E) adopting new indicators of progress that measure social and ecological health and abandon gross domestic product as a measure of progress; and

(4) it is the duty of Federal Government to issue reparations, containing multiple elements, including apology, award, and guarantees of non-repetition of harms, for—

(A) the institution of slavery, the subsequent racial and economic discrimination against African Americans that resulted from the institution of slavery, and the impact of these forces on living African Americans, following the establishment of a commission substantively similar to the commission established under the Commission to Study Reparation Proposals for African Americans Act, H.R. 40, as introduced on January 4, 2021;

(B) the harms of colonialism and subsequent forms of imperialism, which have undermined sovereignty, democracy, self-determination, social and economic rights, and human and ecological well-being in both the colonial and post-colonial eras; and

(C) the disproportionate responsibility of the Federal Government for climate breakdown, the burden of which unjustly and overwhelmingly falls on the global South.

## AUTHORITY FOR COMMITTEES TO MEET

Mr. WYDEN. Madam President, I have six requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet in open and closed session during the session of the Senate on Tuesday, March 7, 2023, at 9:30 a.m.

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, March 7, 2023, at 10 a.m., to conduct a hearing.

### COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, March 7, 2023, at 10 a.m., to conduct a hearing.

### SUBCOMMITTEE ON CLEAN AIR, CLIMATE, AND NUCLEAR SAFETY

The Subcommittee on Clean Air, Climate, and Nuclear Safety of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Tuesday, March 7, 2023, at 2:30 p.m., to conduct a hearing.

### SUBCOMMITTEE ON COMPETITION POLICY, ANTITRUST, AND CONSUMER RIGHTS

The Subcommittee on Competition Policy, Antitrust, and Consumer Rights of the Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, March 7, 2023, at 3 p.m., to conduct a hearing.

### SUBCOMMITTEE ON ECONOMIC POLICY

The Subcommittee on Economic Policy of the Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, March 7, 2023, at 2:30 p.m., to conduct a hearing.

## APPOINTMENT

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the President pro tempore, pursuant to the provisions of Public Law 99-591, as amended by Public Law 102-221, appoints the following member of the United States Senate for appointment as a Senate Trustee to the James Madison Memorial Fellowship Foundation: Honorable ROGER WICKER of Mississippi.

## ORDERS FOR WEDNESDAY, MARCH 8, 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Wednesday, March 8; that following the prayer



and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that following the conclusion of morning business, the Senate proceed to executive session and resume consideration of the Kunesh nomination postcloture; further, that all postcloture time be considered expired at 10:45 a.m. and the Senate vote on the confirmation of the nomination, followed by the motion to invoke cloture on the Werfel nomination; that if cloture is invoked on the Werfel nomination, the vote on confirmation be at a time to be determined by the majority leader in consultation with the Republican leader; further, that following the cloture vote on the Werfel nomination and notwithstanding rule XXII, the Senate resume legislative session and Senator HAGERTY or his designee be recognized to make a motion to discharge the Committee on Homeland Security and Governmental Affairs from further consideration of H.J. Res. 26; that if the motion is made, all the time on the motion be considered yielded back and the Senate vote on the motion to discharge; that if the motion is agreed to, Senator HAGERTY or his designee be recognized to make a motion to proceed; finally, that if any nominations are confirmed during Wednesday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SCHUMER. For the information of the Senate, the confirmation vote on the Werfel nomination is expected to occur immediately upon the disposition of the joint resolution. Therefore, Senators should expect two rollcall votes at 10:45 a.m. and two votes later in the day.

#### ORDER FOR ADJOURNMENT

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order, following the remarks of Senators GRAHAM, BOOZMAN, and LANKFORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

#### DC CRIMINAL CODE

Mr. GRAHAM. Mr. President, I am going to turn this over to Senator HAGERTY and my other colleagues here in a minute, but I just, one, want to recognize Senator HAGERTY from Tennessee for doing something that needed to be done.

The Congressional Review Act allows us, as a body, to look at certain enact-

ments coming from the DC—District of Columbia—City Council for our approval. I am just going to go through the highlights here, but tomorrow, we will be voting on Senator HAGERTY's proposal to disapprove legislation that was passed regarding revising the DC criminal code.

And Senator HAGERTY has done a good service for the people of the District of Columbia and, I think, for the body and the Nation as a whole.

So what are we talking about? This is numbers for the District of Columbia, your Nation's Capital: Total DC crime has increased 25 percent from 2022 to 2023 as of March 3. Carjackings are up 111 percent, have increased for the fifth straight year. Homicides are up 40 percent, and DC has already reached 38 homicides. The average homicide suspect has been arrested 11 times before committing a homicide. Sexual assaults are up 123 percent. Property crimes are up 32 percent. There have been 393 robberies in DC during the last 2 months.

According to the Metropolitan Police Department, there are 430 fewer officers than they had in 2019. It is the lowest number of officers since the 1970s.

I don't know where to end this thing other than to say that the DC City Council, in light of all of this information, passed a law over the objection of the Mayor that would reduce the maximum sentence available for crimes such as carjacking, robbery, home invasion, burglary, firearm offenses, when all of these offenses are at a historic high. So Senator HAGERTY saw what they did and said: This is insane.

I just read to you a dramatic increase in crime across the board—personal property, sexual assault, and murder—and the DC City Council passed a law over the objection, the veto, of the Mayor to reduce maximum sentences to eliminate nonenhanced mandatory minimum sentences for all offenses, except first-degree murder; lowers maximum sentences to 45 years; expands judicial sentencing reconsideration to all criminals after 20 years of imprisonment; reduces the scope and maximum penalty for felony murder. The bottom line is, instead of increasing punishments, they decided to dramatically decrease punishments for the crimes that are out of hand.

So when Senator HAGERTY introduced this legislation that would reject this, things started changing—starting with the President of the United States, who said that he was going to veto any attempt by the Congress to stop the DC law from becoming law.

Well, something happened because he has changed his mind. In the House, Democrats and Republicans passed this Congressional Review Act overwhelmingly. The bottom line is President Biden has now indicated he will sign it, and DC City Council is trying to find a way to take it off the books. I doubt if they can.

So, Senator HAGERTY, sometimes we wonder if we make a difference here.

You have made a difference. You have brought this body together because I would anticipate, tomorrow, that we are going to have an overwhelming vote to reject the DC City Council's efforts to revise their criminal code to make it less deterrent.

All of us live up here during the week. It is our Nation's Capital. It is one of the most beautiful places I have ever visited. But crime is out of control. And we need to restore law and order to our Nation's Capital, and this effort by Senator HAGERTY is now being joined by a legion of Senate Democrats. And I want to thank each and every Democrat for stepping forward and joining Senator HAGERTY and all the Republicans for saying no to this bad idea of being soft on crime in a city that is overwhelmed by crime.

So if there was an award to be given for bad ideas, I would nominate what the DC City Council did in trying to reduce punishments for crimes against persons and property at a time when the city is on fire in terms of crime. So Senator HAGERTY and others have stepped into the breach. Tomorrow, we are going to vote and we are going to end this ill-conceived idea. And I want to thank Senator HAGERTY for his leadership, and I look forward to being his wingman tomorrow.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. HAGERTY. Mr. President, I would like to say that I appreciate and am very touched by the remarks of the good Senator from South Carolina, Mr. GRAHAM.

And I thank Senator GRAHAM so much for his support and his presence here tonight.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, I rise today to discuss the staggering crime problem plaguing the Nation's Capital and an outrageous attempt to unleash even more of it on residents and visitors alike.

The DC City Council unanimously voted last year to substantially weaken its criminal code, including by eliminating life sentences and most mandatory minimums for any crime but first-degree murder.

It is also lowering maximum penalties for some violent offenses like carjacking and robberies. These so-called reforms weren't just opposed by Republicans; they were even a bridge too far for the District's Democratic Mayor who vetoed the legislation, only to see that overruled by the City Council by a 12 to 1 margin.

DC is experiencing a wave of the very crimes this proposal is going soft on. There have been 99 carjackings so far this year. Thirty-eight homicides have occurred in 2023, and 203 murders took place in the city last year—the second consecutive year its total surpassed 200.

This preposterous answer to DC's public safety crisis was also rejected by the Washington Post editorial board,

which said the city could become more dangerous while even further tying the hands of police and prosecutors if this effort were to succeed.

Let's be clear, only in an overwhelmingly liberal city, with years of support from liberal lawmakers at the Federal level, would something like this ill-conceived crime spree incentive be possible. It is just bad policy. It is also unbelievably insensitive and disrespectful to victims on the receiving end of heinous and violent crimes.

There is no justice in downplaying crime. There also can be no pretense of keeping the public safe and upholding the law and order when leaders refuse to demand true accountability from those who brazenly break the law.

How should these victims react to these senseless proposals that delegitimize their suffering and the consequences that they will provoke?

Unlike our Democratic colleagues, Republicans won't make excuses for criminals, and we won't sit back and allow far-left ideology to gut the criminal justice system of civility to deter and punish unlawful, violent behavior.

For too long, our friends on the other side of the aisle have used, frankly, irresponsible rhetoric about crime and policing that would inevitably lead to ideas as bad as this or worse. From "defund the police" to "reimagining justice," there has been no shortage of liberal slogans and agendas to undermine the rule of law and minimize crime's societal impacts.

Democrats in Washington, including President Biden, have only poured fuel to the fire. Many have openly embraced these absurd concepts, including the 173 House Democrats who refused to overturn the DC Council and stand up on the side of common sense.

Let's not forget the ultimate irony in all of this, which is the fact that for the last 2 years, Democrats were demanding the Senate abolish the legislative filibuster in order to ram through party-line votes on incredibly bad policies, including DC statehood.

It seems that, for Democrats, giving the District complete autonomy over its affairs is a useful political talking point, until it isn't. If that doesn't undermine just how bad faith the push to wreck the Senate was, I really don't know what will; and I am so grateful a few of our colleagues on the other side had the courage to reject it.

So, Mr. President, I am pleased to hear that my colleagues and the President—and apparently even the DC City Council—seem willing to draw the line here. Thank goodness.

The question of how long it will last or if they have really learned a time-tested lesson is still quite open. For the Nation's Capital and our entire country, I hope this outbreak of sanity and appreciation of law and order is long lasting.

I thank Senator HAGERTY for leading the charge. He has done a tremendous job, and I think it made a real difference.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I was on the plane—Southwest Airlines to be specific—this particular Monday, flying up from Oklahoma City to Washington, DC, to be able to come here to the office, begin to do a week of work.

The plane was absolutely filled with people coming in that also work in DC in different Agencies, lots of tourist groups that are actually coming up, groups of students that are here. All kinds of folks were on the plane because they were coming to Washington, DC, because it is the Nation's Capital. It is the Nation's Capital and the spot where the entire world—every diplomat from every country—comes to Washington, DC, to be able to meet with Members of the Senate, Members of the House, the President, and the Executive team. They come to be able to interact because this is the central point of the government of the United States. They expect to come and to be able to see the White House, be able to see the Capitol, be able to tour around phenomenal Smithsonian institutions and be able to see that.

This is what they also see when they come to Washington, DC, now. That is the common view that is also around the city because, in the last few years, since the "defund the police" movement took over the city council, the city council in Washington, DC, did several things.

They took out student resource officers in schools, saying that SROs—the student resource officers in schools—they were what they called a pipeline from school to prison. So to solve the issues around schools, they just stopped enforcing in the schools. And do you know what has happened? Crime has gone up around schools, and problems have continued in schools.

Crime has gone up 25 percent just in the last year in Washington, DC—just in the last year. So far, in 2023, according to the Metropolitan Police Department—now, remember, we are in March of 2023. So far in 2023, there has already been 38 homicides in this city, 215 assaults with a dangerous weapon, 298 robberies, 164 burglaries, 1,182 motor vehicle thefts, and from last year to this year, arson is already up 300 percent in Washington, DC. And this has become the common sight around the city.

What in the world is going on? In the middle of rampant increase in crime in Washington, DC, the DC City Council's response to this in an overwhelming vote was to reduce penalties for felonies and to be able to say that if you commit a misdemeanor, then you actually have to have a jury trial as well, knowing full well that would clog up the courts, and basically misdemeanors would never be heard, and so they just wouldn't happen. No one would actually get a misdemeanor record in Washington, DC.

So their plan to end this rampant increase in crime is just not to enforce

the law, and if you were caught, you would get out faster, to get back to the street to be able to commit crimes again.

Listen, there are amazing people who live in this area, Washington, DC, remarkable residents who love this city and love this country, and they do not want to be afraid for their kids going to school.

We had a gentleman who actually worked full time to provide what they call safe passages for kids to be able to get back and forth from their homes to their schools. His whole focus was just to be able to bring down crime in Washington, DC. He was murdered not long ago on one of those same streets in DC.

This should not be so for this great capital and for this great Nation, and the response should not be, we are just not going to enforce the law. That is what the DC Council has said they are going to do.

To her credit, the Mayor of Washington, DC, vetoed that bill when it came out of the city council, and the city council overrode her veto and said: No, we are going to do it anyway.

In response, Senator BILL HAGERTY has brought up what is called a Congressional Review Act, a challenge to this, and he has taken the next step to be able to say it is not just a Congressional Review Act but to say Congress has the responsibility and the right to actually watch over what happens here.

This is not outside the bounds of Congress's responsibility. The U.S. Constitution, article I, section 8, line 17, says this. Here is the responsibility of Congress:

[Congress should] exercise exclusive legislation in all cases whatsoever over such District . . . as may, by cessation of particular states, and the acceptance of Congress, become the seat of government of the United States.

That is describing where we are right now. In our constitutional responsibility, Congress has the responsibility to oversee what is happening in Washington, DC, and to make sure this area is a safe place.

Congress, in decades past, has passed over what is called home rule to Washington, DC, to say to the city council: You have the responsibility to be able to make decisions for what is going on. But Congress still has the congressional, constitutional responsibility to be able to oversee DC. So it is entirely appropriate for Senator HAGERTY to bring this up and say it is time that Congress steps in on the city council and speaks out for our constitutional obligation and says we cannot have rampant crime in the seat of our Republic.

This vote that is coming up tomorrow is going to override the city council. It is hard to believe that the U.S. Congress has to vote to override a city council vote, but that is our constitutional responsibility, and we should take that and be able to do it.

This is important for the safety of all those folks who were on that plane with me and for all the folks who are coming next week from Oklahoma who will be on spring break. This city will be full of Oklahomans who come to visit all these museums, and it needs to be a safe place for them to be able to be in, and it needs to be a spot they want come to, not a spot that looks like this everywhere all over the streets. This should not be so.

It is time that we speak out for a simple principle: Defunding the police, decriminalizing criminal activity, taking school resource officers out of schools, and saying "We just won't enforce the law" doesn't stop crime; it accelerates crime.

For the good people of Washington, DC, they just want a safe city to live in. For folks who work and tour here, they just want to come to a safe place where they are not afraid. Let's invite them to come see the capital, not see this all over the city.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. HAGERTY. Mr. President, I would just like to thank my colleagues GRAHAM, BOZEMAN, and LANKFORD for being here this evening to support this effort.

We need to make certain that our Nation's Capital doesn't become a national embarrassment, and we need to make certain that we send a strong message that the American public have had it with crime in America. The crime spree that is happening in our major cities must come to an end.

We are putting a marker on the ground tomorrow. I want to thank all my colleagues, both Republican and Democrat, who are joining me in this.

I yield the floor.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:35 p.m., adjourned until Wednesday, March 8, 2023, at 10 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate March 7, 2023:

##### THE JUDICIARY

ROBERT STEWART BALLOU, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA.

ANDREW G. SCHOPLER, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA.

ARUN SUBRAMANIAN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

##### DEPARTMENT OF JUSTICE

KATE E. BRUBACHER, OF KANSAS, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF KANSAS FOR THE TERM OF FOUR YEARS.

ISMAIL J. RAMSEY, OF CALIFORNIA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF CALIFORNIA FOR THE TERM OF FOUR YEARS.